



## **Report to the Governor and Legislature**

### **California Maritime Security Council**

SUBMITTED BY  
MATTHEW BETTENHAUSEN, DIRECTOR  
GOVERNOR'S OFFICE OF HOMELAND SECURITY

TO ARNOLD SCHWARZENEGGER, GOVERNOR  
STATE OF CALIFORNIA

TO THE LEGISLATURE  
NOVEMBER 1, 2007

I am pleased to provide you with this comprehensive report on how the California Maritime Security Council (CMSC) is carrying out its mission as an advisory body to the Governor in matters related to Maritime Security.

California has a vital national interest in maritime security. In today's economy, the oceans have increased importance for participation in the global marketplace. It is incumbent on the State and the various ports to collaboratively develop and implement mechanisms that maximize the ability of the State to sustain this key aspect of our infrastructure and economy.

California must be prepared to prevent, protect, respond to, and quickly recover from any catastrophic event, whether intentional or natural, occurring within the maritime community. Toward that end, the State of California must take full advantage of: strengthened alliances with both the public and private sectors; cooperative agreements; advances in technology; strengthened intelligence collection, analysis, sharing, and dissemination; and business continuity and recovery operations.

The security of California's maritime assets depends on the coordination and cooperation of the entire maritime community, including: ports, harbors and ferry terminal operators. Collaboratively sharing best practices and information will promote greater understanding and greater efficiency in planning efforts and the identification of resources.

The Governor established the CMSC on October 12, 2006, through Executive Order S-19-06 to address the need for expanded coordination and collaboration among the federal, State and local governments and private sector at our ports. The CMSC provides assistance to California's maritime community by developing and facilitating partnerships with multiple agencies (federal, and local), private sector business and industry to enhance the State's maritime security. In the implementation of our strategy to protect ports and the maritime community, California will support the National Preparedness efforts and promote maritime domain awareness. This strategy will serve as a guide to state, local, port, and business leaders.

In addition to the creation of standing subcommittees, now diligently working to carry out the Council's Charter, the CMSC is refining an integrated strategy that maximizes the abilities of California's maritime community to prepare, prevent, and respond to, and recover from natural and man-made disasters and sustain continuity of operations, and business operations. This has been a year of tremendous progress and achievement in the development of the CMSC. This report highlights those achievements.

Sincerely,  
Matthew Bettenhausen  
Director, Governor's Office of Homeland Security  
Chairman, California Maritime Security Council

## Table of Contents

<b>TABLE OF CONTENTS .....</b>	<b>1</b>
<b>BACKGROUND .....</b>	<b>2</b>
<b>PLANNING &amp; DEVELOPMENT.....</b>	<b>3</b>
<i>CHARTER .....</i>	<i>3</i>
<i>MEMBERSHIP .....</i>	<i>3</i>
<i>SUBCOMMITTEES.....</i>	<i>4</i>
<i>STATE MARITIME SECURITY STRATEGY .....</i>	<i>5</i>
<i>FUNDING .....</i>	<i>6</i>
<b><i>TRANSPORTATION WORKERS IDENTIFICATION CREDENTIAL.....</i></b>	<b><i>6</i></b>
<b><i>DOMESTIC NUCLEAR DETECTION OFFICE .....</i></b>	<b><i>7</i></b>
<b>2007 ACCOMPLISHMENTS.....</b>	<b>8</b>

## **OVERVIEW**

The California Maritime Security Council (CMSC), created by Governor Schwarzenegger's Executive Order S-19-06 effective October 12, 2006, directed the Director of the California Office of Homeland Security (OHS) to convene and chair the CMSC to enhance port security through statewide collaboration and information sharing.

## **BACKGROUND**

California's ports are vital not only to our own economy, but to the nation's economic health as well. The State of California handles nearly half of all the container port traffic in the United States. Our ports are also among the nations largest in processing other domestic and international commodities. Securing California's seaports is a priority for the Schwarzenegger Administration, which has taken several actions to enhance federal, State and local initiatives to secure our ports and successfully fought for a greater share of federal port security funds, as well as the passage of the SAFE Port Act.

Recent reports published by the Rand Corporation and the Public Policy Institute of California underscore the importance of California's ports and the devastating impact a catastrophic event would have on the economy of California and the nation. In response, the CMSC is working to improve statewide collaboration and information sharing and to identify areas where coordination will enhance security, emergency response and communications. The Council is pursuing policies to prevent the occurrence of such a catastrophe, and to implement processes to mitigate the consequences of a terrorist attack or natural disaster at a port, should one occur.

The Governor's creation of the CMSC has brought together local, state and federal agencies, along with the private sector, and labor and management, to help identify potential threats, improve security measures and communications, conduct training exercises, and refine our statewide maritime security strategy.

The CMSC is comprised of top officials from OHS, the U.S. Coast Guard, the California Office of Emergency Services (OES), the California Business Transportation and Housing Agency, the California Army National Guard, the California Highway Patrol, the U.S. Navy, the U.S. Department of Transportation Maritime Administration, the Federal Bureau of Investigation, the federal Department of Homeland Security (US-DHS), Customs and Border Patrol, Immigration and Customs Enforcement, and other agencies, as well as Directors of California's ports and representatives from the labor and business communities.

The specific duties of the CMSC include: identifying potential threats, improving security measures, procedures, and communications; coordinating contingency planning; coordinating information sharing; conducting training exercises; developing a statewide maritime security strategy; and preparing to quickly recover from a catastrophic event at a California port.

## **PLANNING & DEVELOPMENT**

Maritime security is best achieved by coordinating public and private maritime security activities on a global scale into an integrated and layered effort that addresses all maritime threats. The 2005 National Strategy for Maritime Security aligns all federal government maritime security programs and initiatives into a comprehensive and cohesive national effort involving appropriate federal, state, local and private sector entities.

The CMSC provides assistance to California's maritime community by developing and facilitating partnerships with multiple agencies (federal, State and local), private sector business, and industry to enhance the State's maritime security. It also supports the National Preparedness architecture and promotes maritime domain awareness. In addition to its role as an advisory body to the Governor, the Council serves as a guide to state, local, port business leaders and workers in developing a comprehensive all-hazards approach to address preparedness, planning, response to, and recovery from an event at a California port.

Each of California's eleven commercial ports is responsible for the design and implementation of security programs providing for the safety of their port, employees, visitors, and surrounding communities. Security programs include plans to ensure business continuity and plans to minimize the impact of an event to the region and to the State of California. Each port is working to have an integrated security program that minimizes the undue risk to disruption of service and maximizes the ability of the port to continue operations in support of the State and nation.

### *Charter*

Upon establishment of the CMSC, OHS began working with the Commander of the Eleventh U.S. Coast Guard District, the three Captains of the Ports for the Area Maritime Security Committees and federal, state and local partners to develop a draft charter for the Council. Additional input was provided by the 11 California Port Security Directors, and, at the second meeting of the CMSC in Sacramento, California on June 29, 2007, the members of the council officially adopted the Charter which prescribes: the mission; Maritime Security Council membership; subcommittee working group membership and meetings; applicable law; duration of the council, and; the availability of records.

### *Membership*

As stated above, the CMSC is comprised of top officials from various local, state and federal agencies as well as Directors of California's ports and representatives from the labor and business communities. OHS executive staff, working with representatives of the California Association of Port Authorities (CAPA), commenced meetings to ensure that all representatives from the public and private sector within the maritime community were identified as potential council members. The Council meetings are also open to the public and we provide opportunities for everyone to provide comments, suggestions and criticisms.

### Subcommittees

Upon the inception of the CMSC, it was necessary to empower multiple subcommittees to address the many objectives prescribed in the Executive Order and, subsequently, through the Charter. The following seven subcommittees were created to focus on accomplishing those tasks:

- **State Maritime Security Strategy**  
This subcommittee is focusing on refining and implementing a statewide maritime security strategy. Issues being addressed include training, evacuation and catastrophic planning, establishing criteria to guide project prioritization, and setting baseline operational and procedural security measures to coordinate with Maritime Security (MARSEC) levels and the Homeland Security Advisory System.
- **Legislation and Grants**  
This subcommittee is reviewing and monitoring legislation and grants that impact the maritime sector, advocating for legislation that supports and furthers the State's maritime security efforts, and exploring opportunities for leveraging funding. This subcommittee provides recommendations on the development and implementation of the State Port Security Grant Program (SPSGP) that was established through the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006 (Proposition 1B).
- **Information Sharing**  
This subcommittee focuses on strengthening information sharing capabilities among federal, state and local agencies and explores issues, including expanding and developing fusion centers and an early warning system. This subcommittee is also working on improving statewide collaboration and information sharing to identify potential maritime threats.
- **Science and Technology**  
This subcommittee focuses on expanding and establishing partnerships with national laboratories, universities, research centers, and federal, State and local agencies to improve our maritime science and technology capabilities. The subcommittee is reviewing existing technologies and resources to detect the presence of nuclear materials in shipping containers and vehicles, biological and chemical countermeasures, and broad-based detection and early warning systems.
- **Training and Exercise**  
This subcommittee is working to enhance existing port training and exercise programs to streamline coordination among participating agencies, identify gaps in training, and develop additional courses as needed. The committee reviews after-action reports and lessons learned to develop a best practices knowledge base.
- **Transportation Workers Identification Credential (TWIC)**  
This subcommittee provides recommendations on the implementation of the federal government's Transportation Worker Identification Credential (TWIC) program. The TWIC program's goals are to positively identify authorized individuals who require

unescorted access to secure areas of the nation's maritime transportation system; determine the eligibility of an individual to be authorized unescorted access to secure areas of the maritime transportation system; enhance security by ensuring that unauthorized individuals are denied unescorted access to secure areas of the nation's maritime transportation system; and identify individuals who fail to maintain their eligibility qualifications after being permitted unescorted access to secure areas of the nation's maritime transportation system and deny future access.

- **Recovery and Reconstitution**

This subcommittee provides recommendations on ways to enhance our ability to recover from all-hazard events, establish incident management protocols, and share best practices and procedures for timely restoration of operations.

Additionally, this subcommittee is developing a strategy to enhance timely recovery from all-hazards incidents and reconstitute essential services by sharing resources, exercising potential emergency authority, maintaining critical operations and fulfilling essential functions through a coordinated incident management system.

Each subcommittee is led by a chair and co-chair and consists of senior managers and subject-matter experts from private and public sectors who share maritime security responsibilities.

### *State Maritime Security Strategy*

The security of California's maritime community rests on the coordination and cooperation of all of California's commercial ports. Collaboration and sharing has promoted greater understanding and greater efficiency in the development of plans and deployment of resources. The State Strategy will ultimately outline California's forward-looking plan to enhance maritime security throughout our port system.

The California Maritime Security Strategy is being refined to accomplish three key outcomes:

1. Establish a State strategy to allow state, local, and private sector officials to prioritize the investment in resources and efforts to strengthen the security posture at our ports to prevent incidents and develop resilience in operations so they can quickly recover in the aftermath of disruptive events.
2. Coordinate the security strategies of California's 11 commercial ports to develop base-line and escalating security measures and resources while also recognizing the uniqueness and special needs of each port.
3. Provide technical assistance to the ports in developing their own operational security strategy that meets the state and federal requirements, and is tailored to the unique nature of each port. Operational and tactical plans for security will remain with the individual ports in support of the overall State strategy.

### Funding

The US-DHS Infrastructure Protection Program is a primary funding mechanism to strengthen the Nation's ability to protect critical infrastructure ranging from nuclear facilities to mass transit systems to seaports. The federal Port Security Grants specifically provide funding to reduce the risk of successful attacks against critical port facilities.

Since 9/11, California ports have received over \$192 million in federal port security grants from US-DHS. In the last two years, our ports received over \$60 million in federal security grants. Priority investments have included projects to prevent the use of improvised explosive devices and establish better perimeter security. Federal grants have been utilized to increase situational awareness, and deploy security improvements such as fencing, cameras, and lighting. Investments have also been made to better coordinate prevention, preparedness, response and recovery capabilities by co-locating local, state and federal public safety agencies in joint operation centers. Funds are also being used to determine the best technology and business processes to successfully implement the TWIC program.

The CMSC and its members continue to identify potential funding sources and have collaboratively prioritized investments to leverage our maritime security across this complex and interdependent system of ports. The Legislative and Grants subcommittee is continuously providing recommendations on the development and implementation of the State Port Security Grant Program that was established through Proposition 1B.

With the passage of Proposition 1B, California will invest \$100 million in port security grants over the next three year period. Eligible applicants for funding must submit a project funding plan to the OHS. OHS and the CMSC are working together to provide guidance to port leaders in the submission of their project proposals for the first round of grant funding. At the request of the CMSC, OHS will convene a peer review committee, comprised of port security leaders, to review the projects and provide OHS with recommendations regarding the relevancy and priority of the projects submitted.

### **TRANSPORTATION WORKERS IDENTIFICATION CREDENTIAL**

The TWIC program is designed to add an additional layer of security by establishing a standardized process for issuing identification credentials to transportation workers. Transportation workers will use TWIC to access secure areas of transportation facilities. TWIC verifies the holder's identity by linking the individual's claimed identity and background information to the holder's biometric information stored on the card. Working with US-DHS, the CMSC TWIC subcommittee is developing methods to aid in the implementation of the TWIC program.

In FY 2006, the Ports of Long Beach and Los Angeles were awarded a federal grant to plan for the full implementation of the program and identify logistical issues and best business practices. The CMSC will continue working with the ports to identify costs and resources required to comply with this federal program.



## **DOMESTIC NUCLEAR DETECTION OFFICE**

### **State wide project:**

OHS will oversee a continuing effort with all State stakeholders in developing a comprehensive Preventive RAD/NUC Detection Management Plan (PRND) as developed by US DHS Domestic Nuclear Detection Officer (DNDO). The goal of the PRND is to develop a comprehensive statewide preventive strategy to detect and interdict radiological and nuclear threats. The scope of the project is focused on prevention efforts, rather than response, but will be seamlessly integrated with existing response and recovery plans.

### **Maritime:**

The Port of San Diego/Mission Bay was selected by US-DHS DNDO for a three-year pilot program that will involve the development of a radiation detection architecture that reduces the risk of radiological and nuclear threats that could be illegally transported on recreational or small commercial vessels (generally vessels less than 300 gross tons). The pilot will be conducted in close coordination with the U.S. Coast Guard and Customs and Border Protection, reflecting the priority that the US DHS has placed on balancing risk against all potential threats. DNDO will provide assistance that will leverage existing federal grant funding to support small vessel radiation detection programs and the procurement of recommended equipment.

The overall plan in development will have DNDO deploying non-intrusive, passive detection sensors, such as human-portable radiation detection equipment, mobile sensors, and fixed-position detectors. The goal of the program is to evaluate the efficacy and begin to facilitate the use of radiation detection equipment by local authorities and maritime partners as part of their routine operations in the maritime environment.

A small vessel is defined as any watercraft that is generally less than 300 gross tons. Small vessels include commercial fishing vessels, recreational boats and yachts, towing vessels, uninspected passenger vessels, or any other small commercial vessels involved in foreign or U.S. voyages. The definition distinguishes small vessels from large commercial vessels and yachts, generally 300 gross tons and over, which are subject to security regulations already put in place under the authority of the Maritime Transportation Security Act of 2002 and the International Ship and Port Facility Security Code.

DNDO will be working with maritime partners and local authorities to assess the geographic configurations of the port and coastline to maximize detection and interdiction opportunities. Additional analyses for local partners will include a baseline survey of the existing radiological and nuclear detection architecture, a gap and risk assessment, and associated recommended actions to be developed in conjunction with maritime stakeholders. Maritime stakeholders will also receive guidance from US DHS DNDO on operational protocols, training, and exercises that support small vessel radiation detection capabilities.

## **2007 ACCOMPLISHMENTS**

The CMSC has met three times in 2007, and has accomplished the following:

- ☒ The CMSC convened its first meeting in Sacramento, California on March 9, 2007, during which members nominated subcommittee chairs/co-chairs, coordinated access to a secure homeland security web based portal and commenced draft of CMSC and subcommittee charters.
- ☒ At the second meeting of the CMSC on June 29, 2007, the members approved the adoption of the official Charter, and received subcommittee reports of activities to date.
- ☒ The CMSC has established seven subcommittees, which have begun work on their assigned roles and responsibilities.
- ☒ The CMSC's membership includes subject matter experts, senior security professionals from each of California's ports, and representatives from labor, industry and government.
- ☒ The CMSC refined the Statewide Maritime Strategy.
- ☒ The CMSC enhanced joint planning of training and exercises.
- ☒ The CMSC membership provided input and technical expertise in developing the grant application kit and guidance for the \$40 million port security funds made available under Proposition 1B.
- ☒ The CMSC has strengthened California's relationship with the US-DHS by presenting a unified voice on maritime security funding needs.